

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

ADJUSTACAM LLC

v.

AMAZON.COM, INC., ET AL.

NO. 6:10-cv-329-LED

JURY

PLAINTIFF'S OPPOSED MOTION FOR EXTENSION OF TIME

Plaintiff AdjustaCam LLC respectfully submits this opposed Motion for Extension of Time, as follows:

Plaintiff requests an extension of time for its *Markman* Reply from Friday, January 27, 2012 to Tuesday, January 31, 2012. The good cause for this extension is that Plaintiff agreed to a four day extension of time for Defendants to file their *Markman* Response (which the Court granted – Dkt No. 590), and the undersigned's legal assistant mistakenly calendared a corresponding additional four days for Plaintiff to file its Reply. In good faith, Plaintiff filed its Reply on the date that had been calendared for same.

Although Defendants oppose this request, Plaintiff submits that they have suffered no prejudice. A spokesperson for the Defendants agreed not to oppose Plaintiff's extension, but only if Plaintiff would agree that the "Retailer Defendants" could attend the upcoming Court-ordered mediation by telephone. Exhibit 1. Since Plaintiff would not agree for these Defendants to attend the mediation by telephone in exchange for what should be a courtesy extension (especially in view of the same four day extension which had been agreed for Defendants' Response), this motion is unfortunately opposed.

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that the foregoing extension be granted.

February 8, 2012

Respectfully submitted,

By: /s/ John J. Edmonds
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ATTORNEYS FOR PLAINTIFF
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CERTIFICATE OF SERVICE

I certify that I attempted to meet and confer by phone with counsel for Defendants, specifically the attorney who has served as the Defense spokesman on this issue. However, as evidenced by Exhibit 1, counsel preferred to communicate by email instead of by phone. As also evidenced by Exhibit 1, Defendants were not amenable to the relief requested unless the Plaintiff would agree that the “Retailer Defendants” could participate in the upcoming Court-ordered mediation by phone. Since Plaintiff is not agreeable to conducting our mediation over the phone, this motion is regrettably opposed.

February 8, 2012

/s/ John J. Edmonds
John J. Edmonds

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with this filing via the Court's CM/ECF system and/or email per Local Rule CV-5(a)(3).

February 8, 2012

/s/ John J. Edmonds
John J. Edmonds